

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HERMAN WILLIAMS,

Plaintiff,

v.

LUCIAN TESSMANN, *et al.*,

Case No. 1:23-cv-05945

Hon. Sunil R. Harjani

Hon. Daniel P. McLaughlin

JOINT STATUS REPORT

Plaintiff Herman Williams, by and through his attorneys, Romanucci & Blandin, LLC, and Hart McLaughlin & Eldridge, LLC, and Defendant Lucian Tessmann, by and through his counsel, Ekl Williams Provenzale, LLC; Defendant City of Waukegan, Illinois, by and through its counsel, HeplerBroom, LLC; Defendants Charles Fagan, Dennis Pensala, Richard Davies, Kevin Berrill, as Special Representative for Robert Randall, deceased, Leonard Brezinski, Daniel Colin, Lake County, Illinois, Village of Vernon Hills, Illinois, and John Idleburg, in his official capacity as Sheriff of Lake County, by and through their counsel, The Sotos Law Firm, P.C.; Defendant Lake County Major Crimes Task Force, by and through its counsel, Ancel Glink; Defendants Kimberly Garofalo, as Independent Administrator of Gregory Garofalo, deceased, and Village of Gurnee, by and through their counsel, Schain Banks Kenny & Schwartz, Ltd; Defendants Charles Bell and Village of Libertyville, Illinois, by and through their counsel, Rock Fusco and Connelly, LLC; and Defendant Cook County, Illinois, by and through its counsel, Cook County State's Attorney's Office, submit this report on the discovery progress and the prospects of settlement, in accordance with the Court's order:

Discovery Progress

WRITTEN DISCOVERY

The parties have continued to work on written discovery, including supplemental responses and productions after meet and confer.

JAIL CALL RECORDINGS

On May 28, the Court denied Plaintiff's motion to quash Lake County's (second) jail call recording subpoena. Accordingly, the parties expect production of 624 call recordings in the coming weeks.

INSPECTION AND DIGITIZATION OF OLD MEDIA

On May 22, 2025, the parties conducted an evidentiary inspection at the Gurnee Police Department for items relating to the case. Gurnee will be producing additional documents identified in the inspection. In addition, additional media (e.g., videotapes) were identified as part of the inspection. Those tapes will need to be digitized in addition to other old media that are a part of the record in this case.

To that end, the parties have put together a protocol that will govern the evidence handling and digitization process and have agreed on a vendor to handle the digitization. The parties anticipate that process to begin soon, as they first provided the prosecuting agency (Lake County State's Attorney's Office) notice of their intention to digitize old media.

FACT DEPOSITIONS

Completed

The parties have continued fact depositions since their last report. The parties have now completed 14 fact depositions (which is an additional three depositions since the last status report on April 24).

Depositions Scheduled

Currently, six additional depositions have firm, scheduled dates between June 2 and July 10. Some previously scheduled depositions were canceled recently, primarily due to witness availability or health, and are being rescheduled promptly with a view to the August 1 fact deposition deadline. The parties have to reschedule eight (8) depositions.

Plaintiff's deposition is confirmed for June 11. In addition, Defendants have subpoenaed four additional witnesses for documents (primarily family and friends of Plaintiff). Plaintiff is working on responding to those subpoenas on behalf of three of the four. Defendants anticipate scheduling those depositions as well.

Additional Depositions Anticipated

Plaintiff intends to issue Rule 30(b)(6) notices to Defendants Lake County Sheriff, Lake County Major Crimes Task Force, and City of Waukegan, to address *Monell* issues primarily.

Defendants are still evaluating the need for additional third-party depositions based on the depositions already scheduled and based on jail call recordings that will be produced in the coming weeks.

Status of Settlement

The parties have continued discussion regarding the possibility of settlement, including as recently as yesterday (May 28). Defendants are considering Plaintiff's proposal of mediation and mediators. Defendants anticipate providing a response in the coming weeks.

Date: May 29, 2025

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